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7 UNITED STATES DISTRICT COURT  
8 CENTRAL DISTRICT OF CALIFORNIA  
9 WESTERN DIVISION

10 MARK ANTHONY YOUNG,

11 Plaintiff,

12 vs.

13 COUNTY OF LOS ANGELES, et al.,

14 Defendants.

Case No. CV 08-5438-R (RZx)

**PLAINTIFF'S OBJECTIONS TO  
DEFENDANTS' BILL OF COSTS**

Date: August 27, 2009  
Time: 2:00 p.m.  
Room: 917

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17 Plaintiff Mark Anthony Young hereby objects to the Bill of Costs submitted  
18 by Defendants in connection with their Request to the Clerk to Tax Costs, filed on  
19 August 11, 2009. As set forth below, Defendants' request for costs must either be  
20 denied or reduced by at least \$2,179.28.

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22 **I. THE BILL OF COSTS IS NOT SIGNED**

23 Because counsel for Defendants did not sign the Bill and thereby attest under  
24 penalty of perjury that the costs being sought were necessarily incurred and the  
25 services actually performed, the Bill of Costs should be rejected on this basis alone.  
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**II. EXPEDITED DEPOSITION COSTS ARE NOT TAXABLE**

Under Central District of California Local Rule 54-4.6, “non-expedited” transcripts are recoverable. Defendants appear to have properly deducted the “75%” charge for the expedited transcripts of Dr. Walker and Dr. Shipko’s depositions. However, Defendants seek to recover for \$1463.50 for Mr. Young’s deposition even though his \$1993.64 expedited deposition transcript would translate to only \$1139.22 ( $\$1993.64 / 1.75$ ). This results in a net increase of \$324.22 over the recoverable amount. Accordingly, the Clerk should deny Defendants’ request insofar as it seeks \$324.22 in unrecoverable expedited deposition transcript costs.

**III. VIDEO DEPOSITION COSTS ARE NOT TAXABLE**

Under Central District of California Local Rule 54-4.6, certain deposition costs are taxable, “but not including the cost of videotaped or recorded depositions unless otherwise ordered by the Court,” or “the costs of video or audio technicians unless otherwise ordered by the Court.” L.R. 54-4.6(a), 54-4.6(b). There has been no order by the Court that these ordinarily unrecoverable costs may be recovered in this case. Accordingly, the Clerk should deny Defendants’ request insofar as it seeks \$1,855.00 in video deposition costs.

In sum, costs should be denied for lacking adequate proof they were necessarily incurred and the services necessarily performed. Alternatively, costs should be reduced by \$2,179.28 to comport with the Local Rules.

Respectfully submitted,

DATED: August 17, 2009

LAW OFFICES OF DALE K. GALIPO

By: /s/ Dale K. Galipo

Dale K. Galipo  
Attorneys for Plaintiff